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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/741,538	12/19/2003	David A. Petersen	2003P14535US	4649

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Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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CHENG, JACQUELINE

ART UNIT	PAPER NUMBER
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3768

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/741,538	<b>Applicant(s)</b> PETERSEN ET AL.	
	<b>Examiner</b> JACQUELINE CHENG	<b>Art Unit</b> 3768	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 September 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6,9-12 and 14-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,9-12 and 14-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/19/03 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/5/09</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “12” in fig. 1 has been used to designate both transducer assembly and **what** appears to be pointing to the transducer probe housing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: reference sign 24 and 25 as stated on page 5 paragraph 0018 and page 6 paragraph 0021 respectively. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to

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avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. **Claim 1** is objected to for minor informalities. It is suggested that claim limitation "a cable connecting the transducer probe housing with the connector housing" is placed on a separate line and gets it's own "wherein" clause because as it is currently written, the cable appears to be part of the "wherein (b)" step, however the cable connecting the connector housing and the transducer probe housing does not have to do with the (b) step of converting the signals.
5. **Claim 22** is objected to for a typo error. Lines 5-6 should be amended to say --the detachable connector ~~spaceed~~ housing spaced from--.

### ***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 4 and 18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant

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regards as the invention. The specification does not describe demultiplexing partially beamformed signals in the transducer probe housing, only in the connector housing. Furthermore in reference to claim 18, it is unclear how partial beamforming in the transducer probe housing is to be done on "the demultiplexed signals" as the demultiplexed signals lie after the partial beamforming step as it states in part (e) of the claim that the demultiplexing is done in the connector housing.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. **Claims 1, 22, and 23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt (US 2003/0139664 A1) or alternatively Hunt in view of Erikson (US 6,752,763 B2).

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11. Hunt discloses a transducer assembly comprising a transducer 18 within a probe housing (transducer probe housing) separate from a housing 16 (connector housing) for the other portions of the ultrasound circuitry 30. The transducer 18 is connected with the housing 16 via cables. To minimize the number of cables multiplexing (processing signals from a plurality M of elements of a multi-dimensional array to a less plurality N of processed signals) can be used in the probe housing (paragraph 0028, figs. 1 and 5). Further processing of the signals to a different form appropriate for the ultrasound system is performed in the connector housing 16 such as A/D converting 36 (fig. 5) or creating a beamformer by using delays with summing (mixing) (paragraph 0037). Hunt further discloses that the transducer assembly is connected to an ultrasound system 14 either wirelessly or through a cord (paragraph 0061). Hunt does not explicitly disclose if the cord is permanent or if it is releasable. It would be obvious to one skilled in the art to make the cord releasable for the purpose of being able to interchange either the ultrasound system 14 or the transducer assembly. Hunt discloses in general either releasable connections or permanent connections are well known in the art such as the connections between the probe housing and the connector housing can be either releasable or permanent (paragraph 0030). If the connection is releasable the housing 16 would then partially enclose the detachable connector (for example the female USB connector for the male USB connector of the cord to connect to). Hunt also shows the desire and the ability of the transducer assembly to be capable of being used with various different types of ultrasound systems 14 (figs. 2a, 3 and 4) which would require a releasable connection if a cord was used.

12. Alternatively Erikson discloses a transducer probe assembly comprising a probe housing 320 and a connector housing 324 which houses a connector 326. The connector housing is

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releasably connected to the ultrasound system 270 (fig. 5a). It would be obvious to one skilled in the art at the time of the invention to make the connector housing of Hunt releasably connected with the ultrasound system for the purpose of being able to interchange the transducer probe used.

13. Claims 2, 4, 6, 9, 10, 12, 14-17, 19, 20, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt or alternatively Hunt in view of Erikson, as applied to claim 1 above, further in view of Leavitt (US 6,491,634 B1).

14. **Claim 2, 24:** Hunt discloses that the separate probe housing may include additional electronics such as portions of receive beamforming circuitry (paragraph 0031). Leavitt discloses splitting a receive beamforming circuitry so that a partial beamformer is located with the transducer probe. It would be obvious to one skilled in the art for a portion of the receive beamforming circuitry in Hunt to be a partial beamformer for the purpose of decreasing the amount of wires that has to exit the transducer probe (col. 2 line 45-49, col. 3 line 42-60)

15. **Claim 4, 6:** The other part of the receive beamforming circuitry would then be in the ultrasound processor 38. Hunt discloses the ultrasound processor operable to demultiplex channel information (paragraph 0035) and furthermore discusses using a demultiplexer in combination with summing a plurality of signal elements and creating a beamformer by using delays with summing (mixing) (paragraph 0037). It would be obvious to add a demultiplexer to the partial beamformer for the purpose of the muxed signals from the transducer head needs to be first demuxed before the signals can be processed further.

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16. **Claim 9, 10, 12, 14-16, 19, 20:** Hunt and Leavitt discloses most of what is claimed as discussed above in paragraph 11 of an external cable electrically connecting elements between the transducer 18 partially beamforming M elements and a connector housing 16 which outputs N elements from the signal processing device 38 which has a partial beamformer and a demultiplexer all of which is further discussed in paragraphs 14 and 15 above (elements are partially beamformed as well as summed (mixed) in ultrasound processor 38). It would be obvious to further connect the connector housing 16 with the ultrasound system 14 with a releasable cord connection which partially encloses a detachable connector as discussed above in paragraph 11. The connector further comprises a signal processing device 38 which has a partial beamformer as discussed in paragraph 15.

17. **Claim 17:** Leavitt discloses after the partial beamforming mixing the signals with a normalization factor in multiplier 690 (fig. 6) for the purpose of bringing the frequency of the output back to the frequency of the beamformer channels (col. 10 line 2-31). Although this is describing the partial beamformer 218 in the transducer probe, Leavitt also discloses that the other part of the beamformer, the main beamformer 226 (fig. 2) which would be in the connector housing of Hunt, can be implemented in a similar fashion as the partial beamformer 218 (col. 4 line 65-67).

18. **Claim 21:** Hunt further discloses using parallel beamforming where two or more transmit or receive beams are generated simultaneously may be used for the purpose of reducing power requirements (paragraph 0058).



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19. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt in view of Leavitt or alternatively Hunt in view of Erikson in view of Leavitt, as applied to claim 2 above, further in view of Chiang (US 5,839,442). Neither Hunt nor Leavitt discloses disclosing applying different phase shifts in a portion of the beamformer (partial beamformer). Both Hunt and Leavitt do disclose using a delay circuit in the beamformer and Hunt also discloses that any other now known or later developed beamforming circuitry can be used (Hunt paragraph 0033, Leavitt fig. 3). Chaing discloses achieving the delay in the delay circuit of the beamformer by applying phase shifting and then summing (combining signals) the outputs (fig. 6, col. 2 line 56-col. 3 line 8, col. 3 line 66-col. 4 line 12). It would therefore be obvious to one skilled in the art at the time of the invention to use any well known delay circuit for a partial beamformer for the purpose of getting the correct timing depending upon the type of ultrasound being used.

20. **Claim 5 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt or alternatively Hunt in view of Erikson, as applied to claim 1 above, further in view of Peterson (2004/0181154 A1). Hunt does not disclose converting digital signals to analog signals however it would be obvious in the art to either convert analog to digital signal or digital to analog signals as Hunt discloses that either analog circuits or digital circuits can be used for any of the parts (paragraph 0024) so depending on the type of circuitry is used it would be obvious to use either analog to digital converters or digital or analog converters as appropriate for the types of circuitry in the probe and the types of data exchanged with the base ultrasound unit such as disclosed by Peterson (paragraph 0015).

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21. **Claim 11 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hunt in view of Leavitt or alternatively Hunt in view of Erikson in view of Leavitt, as applied to claims 9 and 16 above, further in view of Peterson. Hunt discloses most of what is claimed including the muxing of signals adjacent a transducer and demuxing of signals in a connector housing (see paragraph 15 above) but does not disclose converting digital signals to analog signals however it would be obvious in the art to either convert analog to digital signal or digital to analog signals as Hunt discloses that either analog circuits or digital circuits can be used for any of the parts (paragraph 0024) so depending on the type of circuitry is used it would be obvious to use either analog to digital converters or digital or analog converters as appropriate for the types of circuitry in the probe and the types of data exchanged with the base ultrasound unit such as disclosed by Peterson (paragraph 0015).

### ***Conclusion***

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACQUELINE CHENG whose telephone number is (571)272-5596. The examiner can normally be reached on M-F 10:00-6:30.

23. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on 571-272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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24. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

/Long V Le/

Supervisory Patent Examiner, Art Unit 3768